

Introduced by Senators Steinberg and PriceFebruary 23, 2012

An act to amend Section 48911.2 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, as introduced, Steinberg. Pupils: suspension.

(1) Existing law prohibits the suspension, or recommendation for expulsion, of a pupil from school unless the school district superintendent or the school principal determines that the pupil has committed any of various specified acts. Existing law requires the school district superintendent or the school principal to immediately suspend and recommend the expulsion of a pupil who is determined to have, at school or at a school activity off school grounds, possessed, sold, or otherwise furnished a firearm, brandished a knife at another person, unlawfully sold a controlled substance, committed or attempted to commit a sexual assault or batter, as defined, or possessed an explosive.

Existing law states that a school should consider implementing a supervised suspension program or an alternative to the school's off-campus suspension program that involves a progressive discipline approach using specified activities if the number of pupils suspended from school during the prior school year exceeded 30% of the school's enrollment.

This bill would instead require a school district, for the 2013–14 school year, to implement, for a minimum of 3 years, at a school where the number of pupil suspensions in the prior school year exceeded 25% of its enrollment, or a numerically significant racial or ethnic subgroup of that enrollment, either (a) an evidence-based system of schoolwide positive behavioral interventions and supports that employs school-level

information about the behavioral and academic history of pupils to define and implement systems of support and interventions at the school, classroom, and individual levels that is aimed at improving the social, emotional, and academic success for all pupils, or (b) other schoolwide strategies that are evidence based and designed to address school climate in order to create learning environments where teachers can teach and pupils can learn and to reduce suspensions from classrooms and the school. Commencing with the 2014–15 school year, the bill would decrease by 2% each year the percentage of enrollment or significant subgroup of enrollment required to trigger this requirement until it is 15%. By requiring a school district to implement one of these strategies, the bill would impose a state-mandated local program.

The bill would authorize the State Department of Education to provide school district information regarding schoolwide evidence-based strategies that could be implemented.

The bill would require a school at which one of the strategies is implemented to report to the school district on the rate of reduction in the school’s suspensions and the strategy used to address the matter.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48911.2 of the Education Code is
2 amended to read:
3 48911.2. (a) ~~For the 2013–14 school year, the number of~~
4 ~~pupils suspended from school during the prior school year exceeded~~
5 ~~30 25 percent of the school’s enrollment or of any numerically~~
6 ~~significant racial or ethnic subgroup of the school’s enrollment,~~
7 ~~the school should consider doing at least one of the following~~
8 ~~district shall implement, for a minimum of three years, at least one~~
9 ~~of the following strategies at the school for the purpose of reducing~~
10 ~~the suspension rate or disproportionality:~~

1 ~~(1) Implement the supervised suspension program described in~~
2 ~~Section 48911.1.~~

3 ~~(2) Implement an alternative to the school's off-campus~~
4 ~~suspension program, which involves a progressive discipline~~
5 ~~approach that occurs during the schoolday on campus, using any~~
6 ~~of the following activities:~~

7 ~~(A) Conferences between the school staff, parents, and pupils.~~

8 ~~(B) Referral to the school counselor, psychologist, child welfare~~
9 ~~attendance personnel, or other school support service staff.~~

10 ~~(C) Detention.~~

11 ~~(D) Study teams, guidance teams, resource panel teams, or other~~
12 ~~assessment-related teams.~~

13 *(1) An evidence-based system of schoolwide positive behavioral*
14 *interventions and supports that employs school-level information*
15 *about the behavioral and academic history of pupils to define and*
16 *implement systems of support and interventions at the school,*
17 *classroom, and individual levels that is aimed at improving the*
18 *social, emotional, and academic success for all pupils.*

19 *(2) Other schoolwide strategies that are evidence based and*
20 *designed to address school climate in order to create learning*
21 *environments where teachers can teach and pupils can learn and*
22 *to reduce suspensions from classrooms and the school. The*
23 *department may provide information regarding additional*
24 *schoolwide strategies that meet the criteria for evidence-based*
25 *strategies.*

26 *(b) Commencing with the 2014–15 school year, the percentage*
27 *of a school's enrollment, or of any numerically significant racial*
28 *or ethnic subgroup of a school's enrollment, whose suspension*
29 *triggers the requirements in subdivision (a) shall be reduced by 2*
30 *percent per year until it is 15 percent.*

31 ~~(b)~~

32 *(c) At the end of the academic year, the school may shall report*
33 *to the district superintendent in charge of school support services,*
34 *or other comparable administrator if that position does not exist,*
35 *on the rate of reduction in the school's off-campus suspensions*
36 *and the plan strategies or activities used to comply with subdivision*
37 ~~*(a) subdivisions (a) and (b). The school district shall report this*~~
38 *information on an annual basis at a regularly scheduled meeting*
39 *of the governing board and to the Superintendent. The*
40 *Superintendent shall publish, on an annual basis, a list of all*

1 *schools that trigger the requirements in subdivision (a) and shall*
2 *include the annual rate of reduction in each school's out-of-school*
3 *suspensions.*

4 (e)

5 (d) It is the intent of the Legislature to encourage *all* schools
6 ~~that choose to implement this section~~ to examine alternatives to
7 off-campus suspensions that lead to resolution of pupil misconduct
8 without sending pupils off campus. Schools that use *strategies*
9 *described in* this section should not be precluded from suspending
10 pupils to an off-campus site.

11 (e) A school district may use any appropriate state or federal
12 funding sources to support the evidence-based schoolwide
13 strategies required to be implemented at schools that meet the
14 criteria described in subdivisions (a) and (b).

15 SEC. 2. If the Commission on State Mandates determines that
16 this act contains costs mandated by the state, reimbursement to
17 local agencies and school districts for those costs shall be made
18 pursuant to Part 7 (commencing with Section 17500) of Division
19 4 of Title 2 of the Government Code.